

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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TIMOTHY J. BLAIS,

Plaintiff,

vs

7:08-CV-1223

COMMISSIONER OF SOCIAL SECURITY  
ADMINISTRATION,

Defendant.  
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APPEARANCES:

OF COUNSEL:

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OFFICE OF REGIONAL GENERAL COUNSEL  
Region II  
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New York, NY 10278

SUSAN J. REISS, ESQ.

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff, Timothy J. Blais, filed this action in November 2008, seeking judicial review of the Commissioner of Social Security ("Commissioner") decision pursuant to 42 U.S.C. §§ 405(g) and 1382(c)(3). By Report-Recommendation dated May 13, 2010, the Honorable Victor E. Bianchini, United States Magistrate Judge, recommended that the Commissioner's decision denying disability benefits be remanded for further proceedings in accordance with the report-recommendation and pursuant to sentence four of 42 U.S.C. Section 405(g). No objections have been filed.

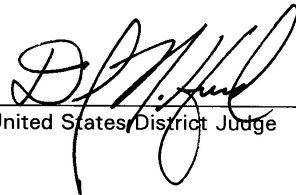
Based upon a careful review of the entire file and the recommendations of Magistrate Judge Bianchini, the Report-Recommendation is accepted and adopted in whole.

See 28 U.S.C. 636(b)(1). Accordingly, it is

ORDERED that the Commissioner's decision denying disability benefits is REMANDED for further proceedings in accordance with the recommendation and pursuant to sentence four of 42 U.S.C. Section 405(g).

IT IS SO ORDERED.

Dated: June 10, 2010  
Utica, New York.

  
United States District Judge